

REMARKS

Applicant has amended claims 1 and 4 and canceled claim 2 without prejudice. Applicant respectfully submits that these amendments to the claims are supported by the application as originally filed and do not contain any new matter. Accordingly, the Office Action will be discussed in terms of the claims as amended.

The Examiner has rejected claims 1, 3, 4/1, 4/3, 5/4/1 and 5/4/3 under 35 USC 102 as being anticipated by either Eckardt or Okabe.

Applicant has carefully reviewed Okabe and respectfully submits that the foil 12 is not integrally formed as a single unit with the holding frame 14 which curves slightly around the edges. As can be clearly seen in Fig. 19, the foil 12 is bonded to the holding frame 14 and is a separate unit. In addition, Applicant's claim 1 requires that the thickness of the blocking portions and the boundary areas be greater than the thickness of the curved portion. Applicant respectfully submits that neither Eckardt nor Okabe shows such a construction.

In view of the above, therefore, Applicant respectfully submits that neither Eckardt nor Okabe shows each and every element of Applicant's claims 1, 3, 4/1, 4/3, 5/4/1 and 5/4/3 and these are not anticipated thereby.

The Examiner has rejected claims 1-3, 4/2 and 5/4/2 under 35 USC 102 as being anticipated by Loner, stating that Loner shows an outer cutter that has integral end walls as claimed and it is inherent from Loner that the end walls are structurally thicker than the foil top.

Applicant has carefully reviewed Loner and respectfully submits that in Loner the outer cutter frame is comprised of two end portions 3 and a cutter foil 2 which are connected by two rods 4 and the outer cutter 2 is provided on the rod 4 (see col. 1, lines 65 seq.). In other words, contrary to Applicant's invention in which the block portions 36 are formed integrally with and as a single unit with the curved portion, in Loner the two end portions 3 are not integrally formed as a single unit with the curved portion and the rod 4, foil 2 and end portions 3 are independent and separately formed parts.

In addition, Applicant's further review of Loner indicates that the end portions 3 are formed separate and apart from the foil 2 and therefore there is no showing or suggestion in Loner that if this were formed as an integral unit that the end portions 3 would be thicker than the foil and the Examiner's opinion that it is inherent in Loner is only the Examiner's opinion which is not supported by the art.

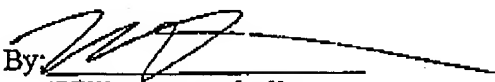
In view of the above, therefore, Applicant respectfully submits that claims 1-3, 4/2 and 5/4/2 are not anticipated by Loner.

In view of the above, therefore, it is respectfully requested that this Amendment be entered, favorably considered and the case passed to issue.

Please charge any additional costs incurred by or in order to implement this Amendment or required by any requests for extensions of time to KODA & ANDROLIA DEPOSIT ACCOUNT NO. 11-1445.

Respectfully submitted,

KODA & ANDROLIA

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Name

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